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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/558,844	10/05/2006	Ping Liu	20033-002US1 FP050046US	7080
20/985 7590 08/05/2008 FISH & RICHARDSON, PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022				
EXAMINER				
MUSLEH, MOHAMAD A				
ART UNIT		PAPER NUMBER		
2832				
MAIL DATE		DELIVERY MODE		
08/05/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. The timely submission under 37 CFR 1.129(a) filed on **06/25/2008** is not fully responsive to the prior Office action because :

- a. The applicant is required under **35 U.S.C. 121** to elect **a single disclosed species** for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic **[see page 3 of the office action that was mailed on 02/25/2008]**.
- b. In response to the applicant arguments that "...applicant elects **Species 1 (FIGS. 1 and 4a - 9c)** without traverse. At least **claims 7-12, 14-15 and 17** are shown in FIGS. 1 and 4a- 9c ..." **[page 2 of 4]**. This is found not persuasive because :
 - c. **Claims 8 and 10** read on **Fig. 56 [specie 15]**
 - d. **Claim 9** read on **Fig. 20 [specie 5]**
 - e. The examiner believes that claims **8-10** do not read on **[figs. 1 and 4a - 9c]** and they should be withdrawn.

Since the submission appears to be a bona fide attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee

set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mohamad A. Musleh** whose telephone number is **(571) 272-9086**. The examiner can normally be reached on M-F (7:30-5:00 Est. Time) 1st Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Elvin G. Enad** can be reached on **(571) 272-1990**. The fax phone number for the organization where this application or proceeding is assigned is **(571) 273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (**PAIR**) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (**EBC**) at **866-217-9197 (toll-free)**. If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call **800-786-9199 (IN USA OR CANADA) or 571-272-1000**.

**/Mohamad A Musleh/
Examiner, Art Unit 2832**

**/Elvin G Enad/
Supervisory Patent Examiner, Art
Unit 2832**